

CHAPTER 213
EDUCATION RESEARCH FOUNDATION

H.F. 773

AN ACT to establish an education research foundation, to prescribe its functions, and to make an appropriation.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION. 257A.1 FIRST IN THE NATION IN EDUCATION.**

There is created a corporate body called "First In the Nation in Education, an education foundation". The foundation is an independent nonprofit quasi-public instrumentality and the exercise of the powers granted to the foundation as a corporation in this chapter is an essential governmental function. As used in this chapter "foundation" means "First In the Nation in Education, an education foundation". The purposes of the foundation include but are not limited to the following:

1. Providing statewide leadership in identifying both immediate and long-range education issues for which a knowledge base is needed.
2. Conducting basic research in education issues.
3. Collecting, analyzing, and disseminating education information generated in other states and countries as well as in this state.
4. Establishing linkages with regional education laboratories and research institutes.
5. Establishing strategies and developing materials and practices to implement the results of the research.
6. Developing and supporting innovative and cooperative programs for school districts.
7. Making the results of research available in forms that are most useful to practitioners and policymakers.

Sec. 2. **NEW SECTION. 257A.2 GOVERNING BOARD.**

The foundation shall be administered by a governing board consisting of seven members appointed by the governor subject to senate confirmation. Members shall be knowledgeable about education, research, or fund-raising activities in this state. Statewide associations interested in education may submit the names of potential members to the governor, but the governor is not bound by the recommendations.

Sec. 3. **NEW SECTION. 257A.3 BOARD REQUIREMENTS.**

1. Members of the board shall be appointed by the appointing authority for staggered terms of six years beginning and ending as provided in section 69.19. Vacancies shall be filled in the same manner as the original appointment. A person appointed to fill a vacancy shall serve only for the unexpired portion of the term.

2. Members of the board shall be reimbursed for actual and necessary expenses incurred while engaged in their official duties from funds available to the foundation.

3. Members shall elect a chairperson and vice chairperson annually. A majority of the members of the board constitute a quorum. The executive director shall serve as secretary to the board.

4. Meetings of the board shall be held at least quarterly at the call of the chairperson or at the request of a majority of the members of the board.

Sec. 4. NEW SECTION. 257A.4 NONPROFIT CORPORATION.

The foundation as a nonprofit corporation created in section 257A.1 has perpetual succession. The succession shall continue until the existence of the corporation is terminated by law. If the corporation is terminated, the rights and properties of the corporation shall pass to the state. However, debts and other financial obligations shall not succeed to the state.

Sec. 5. NEW SECTION. 257A.5 DUTIES OF THE BOARD.

The governing board, within the limits of the funds available to it, shall:

1. Employ an executive director to direct the activities of the foundation and such other employees as deemed necessary by the board. Employees shall be selected on a nonpartisan basis and are employees of the state but are exempt from chapter 19A.

2. Determine a site for the location of the foundation. The board may execute a contract with a governmental agency for leasing facilities for the foundation, but the foundation shall retain its independent status.

3. Approve a long-range plan relating to the conduct of educational research and development activities.

4. Determine the research and development activities to be undertaken, based upon an assessment of the education needs in this state from early childhood education to adult education.

5. Execute contracts with public and private agencies to conduct research and development activities.

6. Perform functions necessary to carry out the purposes of the foundation.

7. Disseminate information developed as a result of research and development activities in forms usable by education personnel.

8. Establish advisory committees to assist the foundation in carrying out its purposes. The advisory committees shall include as members representatives of state associations interested in education in this state.

9. Annually report the results of its activities to the general assembly.

Sec. 6. NEW SECTION. 257A.6 DUPLICATION.

Research activities of the foundation shall not duplicate educational research efforts taking place in Iowa's colleges and universities unless for validation or confirmation of research results.

Sec. 7. NEW SECTION. 257A.7 FUND CREATED.

1. Moneys received by the foundation shall be deposited in a special fund in the office of the treasurer of state known as the "First In the Nation in Education Fund". Moneys deposited in the fund shall not be expended, but shall be invested by the treasurer of state in investments authorized for the Iowa public employees' retirement fund in section 97B.7, unless the purposes set forth in the appropriations, grants, or gifts preclude the use of these moneys solely for investment. Interest income shall be paid quarterly from the fund to the foundation.

2. The foundation may accept grants, gifts, and bequests, including but not limited to appropriations, federal funds, and other funding available for educational research and development purposes. Moneys accepted under this subsection shall be deposited in the fund.

Sec. 8. Notwithstanding sections 8.6, 257A.7, 292.1, 302.1, and 302.13, from the annual apportionment of the interest of the permanent school fund, there is appropriated to the first in the nation in education, an education foundation, for the fiscal year beginning July 1, 1985 and ending June 30, 1986, the sum of one hundred thousand (100,000) dollars for salaries, support, education research, and miscellaneous purposes.

Sec. 9. Notwithstanding section 257A.2, for the initial board, the members shall be appointed to staggered terms that commence July 1, 1985 and end as provided in section 69.19.

Sec. 10. It is the intent of the general assembly that funds be appropriated by the general assembly on a continuing basis commencing with the fiscal year beginning July 1, 1986 for deposit in the fund created in section 257A.7 so that sufficient interest income can be realized from appropriations and gifts for the performance of the duties of the foundation.

Approved May 29, 1985

CHAPTER 214
DISCRIMINATION IN HIGHER EDUCATION
H.F. 648

AN ACT relating to the schools subject to the provisions of chapter 601A on sex discrimination in education.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 601A.9, unnumbered paragraph 2, Code 1985, is amended to read as follows:

For the purpose of this section "educational institution" includes any ~~public~~ preschool, ~~or~~ elementary, secondary, or merged area school, ~~or~~ area education agency, or postsecondary college or university and their governing boards. ~~Nothing in this~~ This section shall be construed to does not prohibit any an educational institution from maintaining separate toilet facilities, locker rooms or living facilities for the different sexes so long as comparable facilities are provided. Nothing in this section shall be construed as prohibiting (1) any bona fide religious institution from imposing qualifications based on religion when such qualifications are related to a bona fide religious purpose or (2) any institution from admitting students of only one sex.

Approved May 29, 1985